

## Message Text

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22

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

DEAE-00 IO-11 JUSE-00 SNM-02 TRSE-00 OES-03 OMB-01

COME-00 EB-07 STR-04 DHA-02 NEA-10 /096 W

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R 060615Z FEB 76

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC 2593

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EO 11652: NA

TAGS: SOCI SGEN SNAR ETRD ID

SUBJECT: HUMAN RIGHTS AND LAW ENFORCEMENT IN

EAST JAVA

FOLLOWING REPEATS SURABAYA 0076 SENT ACTION JAKARTA

INFO MEDAN DTD 5 FEB 76:

QUOTE

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EMBASSY PLEASE RETRANSMIT TO SECSTATE

E.O. 11652: N/A

TAGS: SOCI, SGEN, SNAR, ETRD, ID

SUBJECT: HUMAN RIGHTS AND LAW ENFORCEMENT IN EAST JAVA

SUMMARY: EAST JAVA HIGH PROSECUTOR B.R.M. SIMANDJUNTAK HELD A PRESS CONFERENCE FEBRUARY 4 TO REVIEW THE WORK OF HIS OFFICE DURING 1975, AND LED OFF WITH SEVERAL REMARKS ABOUT HUMAN RIGHTS AND PRE-TRIAL DETENTION, A SUBJECT SELDOM DISCUSSED HERE IN THE LAND OF PANCASILA AND PEMBANGUNAN. HE ALSO PROVIDED INTERESTING FIGURES ON NARCOTICS AND CORRUPTION ARRESTS, SAID THAT A RECENT DECISION

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OF THE MINISTER OF TRADE ON A SURABAYA SMUGGLING CASE WAS ILLEGAL

AND WOULD NOT BE IMPLEMENTED BY HIS OFFICE, AND DISCUSSED UPCOMING PKI TRIALS, WITHOUT GIVING FIGURES ON PKI DETAINEES. PRESS CONFERENCE PROVIDES OPPORTUNITY FOR ME TO ASK HIM DISCREETLY ABOUT THIS SUBJECT, IF EMBASSY AGREES. END SUMMARY.

1. SIMANDJUNTAK TOLD PRESS THAT HE HAD ORDERED ALL MEMBERS OF HIS STAFF AND OF THE KABUPATEN KEJAKSAAN NEGERI OFFICES TO IMMEDIATELY APPROACH THE DISTRICT COURTS (PENGADILAN NEGERI) TO OBTAIN FIRST PRIORITY FOR TRIALS FOR PERSONS WHO HAD BEEN DETAINED FOR MORE THAN ONE YEAR. "THESE CASES," HE SAID, "INVOLVE BASIC HUMAN RIGHTS AND THEREFORE MUST BE TREATED IN A SERIOUS MANNER." SIMANDJUNTAK ADDED THAT "ANY PERIOD OF PRE-TRIAL DETENTION WHICH EXCEEDS THE SENTENCE HANDED OUT BY THE JUDGE, OR EVEN THAT DEMANDED BY THE PROSECUTOR, WILL BE REGARDED AS AN ARBITRARY ACT."

2. PROSECUTOR ALSO SAID THAT ALTHOUGH NUMBER OF PERSONS DETAINED DURING THE YEAR INCREASED FROM 13,188 IN 1974 TO 14,710 IN 1975, NUMBER REMAINING UNDER DETENTION AT YEAR'S END HAD DECLINED FROM 1,649 IN 1974 TO 1,553 IN 1975. SIMILARLY, CASES STILL IN PROCESS AT YEAR'S END DECLINED FROM 8,931 IN 1974 TO 6,622 IN 1975.

3. SIMANDJUNTAK MENTIONED THAT ONE GESTAPU/PKI CASE, UNDER TRIAL IN BLITAR IN 1975, HAD ENDED WHEN THE DEFENDANT DIED IN A HOSPITAL AT KEDIRI. FIVE NEW CASES, MOSTLY ALLEGED PKI "SPECIAL BUREAU" OPERATIVES, ARE TO BE TRIED IN THE NEXT FEW MONTHS IN VARIOUS TOWNS IN EAST JAVA.

4. THE NUMBER OF "NARCOTICS VICTIMS" DECLINED FROM 70 IN 1974 TO 55 IN 1975, AND THE NUMBER OF NARCOTICS PEDDLARS ARRESTED DECLINED FROM 20 IN 1974 TO 9 IN 1975.

5. OVERALL, THE NUMBER OF CRIMES COMMITTED DECLINED IN EAST JAVA DURING THE YEAR, WHILE THE NUMBER OF ARRESTS INCREASED. TRIALS OF CORRUPTION CASES INCREASED, AS DID THE AMOUNTS INVOLVED, TOTALLING CLOSE TO 800 MILLION RUPIAH. MOST OF THESE CASES INVOLVED EMBEZZLEMENT OF GOVERNMENT FUNDS OR BANK CREDITS.

6. ONE INTERESTING SMUGGLING CASE THAT SIMANDJUNTAK REVIEWED WAS AN ATTEMPT ON SEPTEMBER 11 BY A JAKARTA FIRM "P.T. SANGKAAN URIP" TO SMUGGLE 2,000 BALES OF PAKISTANI COTTON YARN THROUGH LIMITED OFFICIAL USE

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THE PORT OF SURABAYA, IN VIOLATION OF A DEPARTMENT OF TRADE REGULATION ISSUED IN 1974. THE PROSECUTOR'S OFFICE, ACTING ON A TIP, SEIZED THE YARN AND REMANDED THE CASE FOR TRIAL. WHILE THE CASE WAS UNDER INVESTIGATION, SIMANDJUNTAK SAID, HIS OFFICE RECEIVED A NEW "MINISTER OF TRADE DECISION DATED OCTOBER 23, 1975" WHICH DIRECTED HIM TO DROP THE CASE AND TURN THE YARN OVER TO A FIRM NAMED "P.T. KERTA NIAGA" IN SURABAYA. SIMANDJUNTAK STATED THAT HE BELIEVES THIS DECISION, IN EFFECT, IS ILLEGAL,

AND HE HAS INSTRUCTED THE SURABAYA PORT PROSECUTOR TO BRING THE CASE TO TRIAL.

7. COMMENT: IN MID-1975, SIMANDJUNTAK WENT ON A FIVE-WEEK "STUDY TOUR" THROUGH A NUMBER OF OTHER ASIAN COUNTRIES--SPENDING MOST TIME IN JAPAN--AND TOLD ME HE WAS IMPRESSED AT THE EFFICIENCY AND HONESTY HE HAD FOUND IN THEIR LEGAL SYSTEMS. HE IS UNMARRIED, LIVES FRUGALLY, AND FINANCED HIS TRIP PARTLY FROM HIS OWN SAVINGS. HIS REFERENCES TO HUMAN RIGHTS AND HIS UNUSUAL WILLINGNESS TO CHALLENGE A JAKARTA MINISTER ON A SMUGGLING CASE MAY STEM FROM HIS OBSERVATIONS ON THIS TRIP. ALTHOUGH HE DID NOT DWELL ON SUBJECT OF PKI DETAINEES, PRESS CONFERENCE PROVIDES A LOGICAL OPENING FOR ME TO EXPLORE THIS SUBJECT WITH HIM IN GENERAL TERMS AT NEXT SOCIAL EVENT, IF EMBASSY AGREES.

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